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Applicant's invention is directed to an improved method for bulk packaging of light weight particulate material (see Applicant's specification, page 1, lines 8-11). Applicant's method includes the stacking of a small supply of relatively large containers adjacent the hopper station on one side thereof, and a supply of bags on an opposite side of the filling station. Each of the containers is manually erected beneath the hopper, following which a large liner is individually placed in the erected container for filling. The filled container is then sealed and closed in known manner, and transported from the hopper station not on a conveyor belt, but, depending upon weight, using a forklift truck. While the Kuper Smith reference suggests this type of container, it does not teach the maintaining of a relatively small stack of such containers in folded condition adjacent the hopper station to be erected beneath the hopper, following which the liner is inserted for filling and sealing. The prior art practice included assembling a relatively large number of large containers, inserting the liner in them, and moving the assembled container and liner beneath the hopper, a cumbersome procedure. Applicant's method allows the containers to be maintained in collapsed condition until just prior to filling, thereby making it possible to store a much larger number in a given space surrounding the hopper station.

Applicant describes the prior art commencing on page 1 of his specification at line 12. As mentioned, the loaded containers normally weigh several hundred pounds as a result of bulk packaging. It is submitted that claim 1 is not anticipated by each of who

shows the packaging location referred to in Applicant's specification, lines 10 and 11. In a Section 102 rejection, the relied upon reference should generally show what Applicant is doing. No such suggestion appears in Ikoh. Reconsideration of Examiner's position is accordingly requested.

CLAIM REJECTIONS SECTION 103

Examiner has rejected claim 2 under Section 103 (a) as being unpatentable over Akoh in view of Kuper Smith explaining that Akoh discloses the invention substantially as claimed including the use of a conveyor 34 to move packages down a manufacturing line, and that what Akoh does not disclose is the use of its slip sheet. However, Kuper Smith teaches that it is old and well known in the art of packages to have an integrated slip sheet 52 for the purpose of moving the box. He concludes that it would have been obvious to one having ordinary skill in the art at the time the invention was made to have provided the invention of Akoh with the slip sheets as taught by Kuper Smith for purposes of moving a box.

In response, it is submitted that there is no suggestion in Kuper Smith to put a slip sheet on a commercial container which contains only eight or ten ounces of product, nor is there any need for it. There is no need for a slip sheet in such a small container. It is therefore submitted that there is no teaching in Kuper Smith which could be combined with Akoh, and reconsideration of Examiner's position is accordingly requested.

Examiner has rejected claim 3 under Section 103 (a) as being unpatentable over Akoh in view of Henle et al (US 4, 287,703). Examiner has stated that Akoh discloses the invention substances claimed including closing the end of a bagliner after it has been

filled. What Akoh does not disclose is the sealing of a bag by heat. However, Henle teaches that it is old and well known in the art of packages to use heat sealing at a sealed station 22 to close bags after they have been filled for the purpose of reducing contamination and spillage. He therefore, concludes that it would have been obvious to a worker in the art to combine Henle with Akoh.

Applicant discloses in page 1, lines 12 – 21 that it is known to use a container, a separate synthetic resinous liner, and sealing the liner prior to closing the container. Akoh also contemplates closing his bag within the container at some point at an assembly line station.

What Applicant does is something not capable of being performed using assembly lines procedures. The erection of the container is made after the container has been positioned beneath the hopper. While in this condition, the liner element is inserted and spread for filling. After filling, the liner is closed and sealed, and subsequently the container is also closed as is known in the art. All of the above is performed at a single station beneath the hopper manually. What Ikoh teaches is applicable to a location to which Applicant's package is transported. At that point, the contents of Applicant's container are poured into a hopper suitable for filling small packages, at which point the teachings of Ikoh are useful.

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It is submitted as apparent that Ikoh does not contemplate doing what Applicant is doing. The essence of Applicant's invention is the provision of a method which permits the elimination of the need for separating and erecting containers and storing them in erected condition. Instead, the containers are positioned adjacent the hopper for erection beneath the hopper, and the insertion of a liner which is also stored adjacent to the hopper. There is no suggestion of this method in Ikoh. What Applicant is doing, in a general sense, is known, but the specific way in which he performs the filling of large containers of particulate material is not suggested by any of the references.

In the light of the above argument, reconsideration of Examiner's position is requested, and further and favorable action earnestly solicited.

Respectfully,



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Charles E. Temko  
Attorney for Applicant

TEMKO & TEMKO  
22 Marion Road  
Westport, CT  
(203) 227-7368